

Judicial Branch

Analyst: Holland-Smith

Historical Summary

OPERATING BUDGET	FY 2003 Total App	FY 2003 Actual	FY 2004 Approp	FY 2005 Request	FY 2005 Gov Rec
BY PROGRAM					
Supreme Court	4,189,900	4,364,500	4,229,900	5,570,900	5,570,900
Law Library	663,300	494,300	662,500	500,400	500,400
District Courts	10,189,600	9,763,800	11,060,600	10,872,400	10,872,400
Magistrates Division	10,107,200	10,329,900	10,659,600	11,022,700	11,022,700
Judicial Council	115,600	90,700	111,300	113,400	113,400
Court of Appeals	1,102,800	1,105,300	1,115,500	1,148,300	1,148,300
Guardian Ad Litem Account	430,900	446,500	441,900	485,700	485,700
Snake River Basin Adjudication	798,800	745,100	783,700	900,200	900,200
Total:	27,598,100	27,340,100	29,065,000	30,614,000	30,614,000
BY FUND CATEGORY					
General	24,789,700	24,486,700	24,474,000	25,383,900	25,383,900
Dedicated	2,389,600	2,166,100	4,172,200	3,721,500	3,721,500
Federal	418,800	687,300	418,800	1,508,600	1,508,600
Total:	27,598,100	27,340,100	29,065,000	30,614,000	30,614,000
Percent Change:		(0.9%)	6.3%	5.3%	5.3%
BY OBJECT OF EXPENDITURE					
Personnel Costs	22,332,600	21,762,500	0	22,935,200	22,935,200
Operating Expenditures	3,977,000	4,542,600	0	6,163,000	6,163,000
Capital Outlay	747,600	427,500	0	855,500	855,500
Trustee/Benefit	540,900	607,500	0	660,300	660,300
Lump Sum	0	0	29,065,000	0	0
Total:	27,598,100	27,340,100	29,065,000	30,614,000	30,614,000
Full-Time Positions (FTP)	247.00	247.00	247.00	247.00	247.00

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and the federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000, felony preliminary hearings, criminal misdemeanors, and infractions.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

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Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
FY 2004 Original Appropriation	247.00	24,474,000	29,065,000	247.00	24,474,000	29,065,000
Non-Cognizable Funds and Transfers	0.00	0	0	0.00	0	0
FY 2004 Estimated Expenditures	247.00	24,474,000	29,065,000	247.00	24,474,000	29,065,000
Removal of One-Time Expenditures	0.00	0	(721,000)	0.00	0	(721,000)
Base Adjustments	0.00	0	0	0.00	0	0
FY 2005 Base	247.00	24,474,000	28,344,000	247.00	24,474,000	28,344,000
Personnel Cost Rollups	0.00	324,300	325,600	0.00	324,300	325,600
Inflationary Adjustments	0.00	36,900	94,200	0.00	36,900	94,200
Replacement Items	0.00	55,500	55,500	0.00	55,500	55,500
Nonstandard Adjustments	0.00	(21,000)	1,262,900	0.00	(21,000)	1,262,900
Change in Employee Compensation	0.00	64,200	65,200	0.00	64,200	65,200
FY 2005 Program Maintenance	247.00	24,933,900	30,147,400	247.00	24,933,900	30,147,400
1. Expand Use of Senior Judges	0.00	248,500	248,500	0.00	248,500	248,500
2. Certified Court Interpreters	0.00	150,000	150,000	0.00	150,000	150,000
3. Increase Base Grant/Spend Interest	0.00	30,000	46,600	0.00	30,000	46,600
4. Increase in Water Right Decrees	0.00	21,500	21,500	0.00	21,500	21,500
FY 2005 Total	247.00	25,383,900	30,614,000	247.00	25,383,900	30,614,000
Change from Original Appropriation	0.00	909,900	1,549,000	0.00	909,900	1,549,000
% Change from Original Appropriation		3.7%	5.3%		3.7%	5.3%

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2004 Original Appropriation	247.00	24,474,000	4,172,200	418,800	29,065,000

Non-Cognizable Funds and Transfers

Lump sum appropriation adjustments that net to zero.

Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0

FY 2004 Estimated Expenditures					
Agency Request	247.00	24,474,000	4,172,200	418,800	29,065,000
Governor's Recommendation	247.00	24,474,000	4,172,200	418,800	29,065,000

Removal of One-Time Expenditures

Agency Request	0.00	0	(721,000)	0	(721,000)
Governor's Recommendation	0.00	0	(721,000)	0	(721,000)

Base Adjustments

The Courts are transferring \$170,700 in the General Fund from personnel costs into operating expenditures and trustee/benefits; and \$52,500 from operating expenditures into capital outlay in the ISTARs Technology Fund. In addition, the Courts are reallocating General Funds from the Law Library (\$174,200) and District Courts (\$114,500) into the Supreme Court - \$128,800, the Magistrates Division - \$131,900, the Court of Appeals - \$9,100, and the Snake River Basin Adjudication - \$18,900.

Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0

FY 2005 Base					
Agency Request	247.00	24,474,000	3,451,200	418,800	28,344,000
Governor's Recommendation	247.00	24,474,000	3,451,200	418,800	28,344,000

Personnel Cost Rollups

Includes the employer-paid portion of estimated changes in employee benefit costs. The two biggest factors are: health insurance rates which are projected to increase by 17 percent, from \$5,548 to \$6,493 per employee; and retirement system (PERSI) rates that will increase by over 6% to 10.39 and 10.73 percent of salary for regular and police/firefighter members, respectively.

The Judicial Branch is requesting \$302,000 in personnel costs for increased costs of health insurance and FICA, and \$19,100 in trustee/benefits. An additional \$13,300 is requested for the increased cost of life insurance for retired judges, and \$5,800 for the increased cost of health care for senior judges.

Agency Request	0.00	324,300	1,100	200	325,600
Governor's Recommendation	0.00	324,300	1,100	200	325,600

Inflationary Adjustments

Includes a general inflationary increase of 1.9% in operating expenditures and trustee/benefit payments.

Agency Request	0.00	36,900	49,300	8,000	94,200
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The general inflation request is transmitted to the Legislature as received by the Governor. Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	36,900	49,300	8,000	94,200
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Budget by Decision Unit

	FTP	General	Dedicated	Federal	Total
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Replacement Items

The Courts are requesting funding for Replacement Items for the Snake River Basin Adjudication Program. This includes \$1,500 for a fax machine, \$7,000 for two printers, \$20,000 for a copier, \$4,500 for three computers, \$13,500 for shelving, and \$9,000 for recording equipment.

Agency Request	0.00	55,500	0	0	55,500
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The replacement item request is transmitted to the Legislature as received by the Governor. Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	55,500	0	0	55,500
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Nonstandard Adjustments

This request is to increase federal spending authority by \$1,081,200 to match the growth in actual grants, and increase spending authority in the Court Services Fund by \$202,700.

The Statewide Cost Allocation Plan assesses state agencies for their actual use of Attorney General, State Controller and State Treasurer services. Also included are changes in property/casualty insurance premiums and the cost of office space leased to state agencies by the Department of Administration. Risk Management fees are reduced by \$4,700, State Controller fees by \$13,500, and State Treasurer fees by \$2,800.

Agency Request	0.00	(21,000)	202,700	1,081,200	1,262,900
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Governor's Recommendation	0.00	(21,000)	202,700	1,081,200	1,262,900
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Change in Employee Compensation

Reflects the cost of a 1% salary increase for permanent and group positions excluding members of the judiciary.

Agency Request	0.00	64,200	600	400	65,200
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The Governor recommends a compensation increase of 1% to be distributed based on merit. No adjustment to the pay line is recommended.

The Judicial Branch requested a 1% CEC (placeholder) in compliance with the Budget Development Manual. Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	64,200	600	400	65,200
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FY 2005 Program Maintenance

Agency Request	247.00	24,933,900	3,704,900	1,508,600	30,147,400
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Governor's Recommendation	247.00	24,933,900	3,704,900	1,508,600	30,147,400
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1. Expand Use of Senior Judges

Supreme Court, Magistrates Division

The Supreme Court requests funds for additional senior judge days (per diem, travel, and benefit costs for Plan A and Senior Magistrate Judges) to resolve disputes fairly and within the time standards adopted by the Supreme Court. A cadre of well-respected, experienced senior retired judges is available to be assigned to courts where the caseload needs are the greatest, or emergency circumstances exist. This enhancement will permit the Idaho courts to continue to resolve an increasing number of cases timely, and pursue further court innovations, without adding full-time judgeships. The request is \$153,000 in personnel costs, \$60,000 in operating expenditures for travel costs, and \$35,500 in trustee/benefits for health insurance.

Agency Request	0.00	248,500	0	0	248,500
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	248,500	0	0	248,500
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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
2. Certified Court Interpreters					
Magistrates Division					
The Court believes that a regional strategy to attract certified court interpreters will allow the just and speedy resolution of criminal court cases involving non-English speaking defendants. This request proposes to distribute \$30,000 to Judicial Districts 3, 4, 5, 6, and 7 to contract for certified interpreters.					
Agency Request	0.00	150,000	0	0	150,000
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	150,000	0	0	150,000
3. Increase Base Grant/Spend Interest					
Guardian Ad Litem Account					
The grant recipients are requesting a funding increase of \$30,000; and spending authority for expected interest income in the dedicated Guardian Ad Litem Fund.					
Agency Request	0.00	30,000	16,600	0	46,600
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	30,000	16,600	0	46,600
4. Increase in Water Right Decreases					
Snake River Basin Adjudication					
Between now and FY 2005, the SRBA is expecting to receive the last 27 Director Reports from the Idaho Department of Water Resources, containing recommendations for approximately 25,000 irrigation claims. Of those, the SRBA expects approximately 20,000 to be decreed without objections. These estimates represent a very significant increase in volume, which will impact the quantity of basic operating expenses (postage, paper and other supplies, and some travel) needed to maintain the current pace of the adjudications.					
Agency Request	0.00	21,500	0	0	21,500
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	21,500	0	0	21,500
FY 2005 Total					
Agency Request	247.00	25,383,900	3,721,500	1,508,600	30,614,000
Governor's Recommendation	247.00	25,383,900	3,721,500	1,508,600	30,614,000
Agency Request					
Change from Original App	0.00	909,900	(450,700)	1,089,800	1,549,000
% Change from Original App	0.0%	3.7%	(10.8%)	260.2%	5.3%
Governor's Recommendation					
Change from Original App	0.00	909,900	(450,700)	1,089,800	1,549,000
% Change from Original App	0.0%	3.7%	(10.8%)	260.2%	5.3%

IDAHO'S INTEGRATED COURT STRUCTURE

